

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

THE EXCELLENT THE EXCELLENT
RAJ K. PATEL, from all capacities,

Petitioner-Plaintiff

v.

UNITED STATES,

Respondent-Defendant

No. 1:22-cv-00734-LAS

Dated: July 18, 2022

**PLAINTIFF-RAJ K. PATEL'S (PRO SE) RESPONSE
TO ORDER TO SHOW CAUSE AT DKT. 8**

I, T.E. T.E. Raj K. Patel (*pro se*), respectfully submit this Pl.'s Responses to
Order to Show Cause at Dkt. 8¹:

- I. This Court of Federal Claims has jurisdiction to issue the requested writ of mandamus via its inherent authority to my various litigation, including but not limited to the litigation in No. 1:21-cv-02004-LAS (C.F.C. Nov. 5, 2021), *rev'd in part & aff'd in part*, No. 22-1131 (Fed. Cir. May 19, 2022), ECF 44 can be thoroughly and without prejudice be litigated. Due Process Cl.-Prejudice, U.S. const. amend. V; *Id.* amend. VI; and 28 U.S.C. § 1651. https://www.uscfc.uscourts.gov/sites/default/files/USCFC%20Court%20History%20Brochure_1_0.pdf (The Court of Federal Claims is the “keeper of the Nation’s conscience” and “the People’s Court.”). U.S. const. art. I, § 8, cls. 3, 7, 14 & 18.

1. *Pro se* writs of mandamus and responses “must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

- II. Further, the mandamus is proper and aid this court's jurisdiction because it will uphold the Congressional intent to wavier of sovereign immunity and so I can properly assert the Federal R.F.R.A. claims. Due Process Cl.-Prejudice, U.S. const. amend. V; 42 U.S.C. § 2000bb *et seq.*; and 28 U.S.C. § 1651. U.S. const. art. I, § 8, cls. 3, 7, 14 & 18.
- III. Further, the mandamus is proper because it will allow me to litigate this case and the case in No. 1:21-cv-02004-LAS (C.F.C. Nov. 5, 2021), *rev'd in part & aff'd in part*, No. 22-1131 (Fed. Cir. May 19, 2022), ECF 44, *pending cert.*, No. ____ (U.S. 202_), which can be remanded to this court from the United States Supreme Court, closer to my pleasure. Due Process Cl.-Prejudice, U.S. const. amend. V; 42 U.S.C. § 2000bb *et seq.*; and 28 U.S.C. § 1651. U.S. const. art. I, § 8, cls. 3, 7, 14 & 18.
- IV. Further, mandamus is proper because it will allow me to unequivocally receive the protection of the United States which is necessary under the Constitution and 42 U.S.C. § 1981 -- litigate a breach of contract while in Safety. Due Process Cl.-Prejudice/Due Process-Substantive/Due Process-Equal Protection Cl., U.S. const. amend. V; 42 U.S.C. § 2000bb *et seq.*; 28 U.S.C. § 1651; and 42 U.S.C. §§ 1981-82. *United States v. Windsor*, 570 U.S. 744, 793 & 793 n. 5 (2013) discussing *Bolling v. Sharpe*, 347 U.S. 497 (1954). U.S. const. art. I, § 8, cls. 3, 7, 14 & 18.

- V. Further, the Thirteenth Amendment requires that lawless (religious) force be removed from over me. Federalist 81 (Hamilton) (“[C]ontracts between a nation and individuals are only binding on the conscience of the sovereign, and have no pretensions to a compulsive force.”). U.S. const. amend. XIII. *Kennedy v. Bremerton Sch. Dist.*, No. 21-418 * 12 & 23 (U.S. June 27, 2022) (international citations omitted) (Gorsuch, J., majority). U.S. const. art. I, § 8, cls. 3, 7, 14 & 18.
- VI. Since the Court of Appeals for the Federal Circuit has already found a Big Tucker Act, 28 U.S.C. § 1491(a), contract, this Court of Federal Claims has the jurisdiction to issue mandamus so it may aid both this Court and the litigation which originated from the Court of Federal Claims and it will effectuate the agreed upon intent of the same Big Tucker Act contract found by the Court of Appeals for the Federal Circuit. *Patel v. United States*, No. 1:21-cv-02004-LAS (C.F.C. Nov. 5, 2021), *rev'd in part & aff'd in part*, No. 22-1131 (Fed. Cir. May 19, 2022), ECF 44, *pending cert.*, No. ____ (U.S. 202_). The order shall not preclude any recovery on remand.
- VII. Further, since the United States Department of Justice looks after the institutional interests of the United States, including from President to President, and has appeared, through Mr. Robert Kiepura, that it be ordered to show cause why mandamus shall not issue. *See also Patel v. White House Chief of Staff*, No. 22-1962 (Fed. Cir. 202_).

Overall, mandamus will make ready and effectuate the Congressional and Constitutional purposes for pro se litigants who are United States citizens, including for mutually-agreed upon contracts with the United States. U.S. const. art. IV, § 2. *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 167 (1803). *Corfield v. Coryell*, 6 F. Cas. 546, 4 Wash.C.C. 371, No. 3230 (C.C.E.D. Pa. 1823) (J., Washington). Art. 17, § 2 of the Universal Decl. of Hum. Rts. of the United Nations. U.S. const. art. I, § 8, cls. 3, 7, 14 & 18. U.S. const. art. III. 42 U.S.C. §§ 1981-85.

Respectfully submitted,

/s/ Raj K. Patel
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J.D. Candidate, Notre Dame L. Sch. 2015-2017
President/Student Body President, Student Gov't
Ass'n of Emory U., Inc. 2013-2014 (corp. sovereign
2013-present)
Student Body President, Brownsburg Cmty. Sch.
Corp./President, Brownsburg High Sch. Student
Gov't 2009-2010 (corp. sovereign 2009-present)
Rep. from the Notre Dame L. Sch. Student B. Ass'n to
the Ind. St. B. Ass'n 2017
Deputy Regional Director, Young Democrats of Am.-
High Sch. Caucus 2008-2009
Co-Founder & Vice Chair, Ind. High Sch. Democrats
2009-2010
Vice President of Fin. (Indep.), Oxford C. Republicans
of Emory U., Inc. 2011-2012

CERTIFICATE OF SERVICE

I, Raj K. Patel, certify that I filed the preceding Pl.'s Order to Show Cause, and I certify that I provided notice of filing to all parties of record listed below:

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Dated: July 18, 2022

Respectfully submitted,

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